



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2569

Introduced 1/20/2006, by Sen. Miguel del Valle - Jacqueline Y. Collins

SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-5046 new

30 ILCS 805/8.30 new

Amends the Counties Code. Requires the county recorder to administer a system to notify owners of the filing of a quitclaim deed on their property. Sets forth the requirements for the notification system. Preempts home rule powers. Amends the State Mandates Act to require implementation without reimbursement.

LRB094 18917 RSP 54391 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by adding Section
5 3-5046 as follows:

6 (55 ILCS 5/3-5046 new)

7 Sec. 3-5046. Quitclaim notification.

8 (a) Upon the recording or filing of a quitclaim deed on any
9 property within the county, the recorder of deeds must register
10 the deed on the property as "temporary subject to
11 notification".

12 Upon recording or filing of a quitclaim deed on any
13 property within the county, the recorder of deeds must generate
14 a notification postcard that must be sent to the previous owner
15 at the address stated on the most recent tax bill for the
16 property. The postcard must state that a quitclaim deed has
17 been filed on the owner's property, the date of the filing, the
18 location of the recorder's office, and any other information
19 deemed necessary by the recorder. The postcard must advise the
20 owner to contact the Recorder's office concerning the property
21 transfer.

22 If after 5 business days, the previous owners have not
23 contacted the recorder's office, a second notice must be
24 generated and sent to the previous owner. The second notice
25 contain the same information as the first and also state that
26 it is a second notice.

27 After 5 business days, the Recorder shall remove the
28 "temporary subject to notification" designation from the
29 recently filed deed.

30 (b) Nothing in this Act precludes any other remedy under
31 law.

32 (c) If the previous owner wishes to contest the quitclaim

1 deed filed on their property, then the owner must bring an
2 action to quiet title and notify the recorder's office that
3 such an action has been brought.

4 (d) The recorder is not required to generate a notice under
5 this Section if the all previous owners, as stated on the most
6 recent tax bill, personally appear at the recorder's office and
7 present the recorder with proper photo identification,
8 evidence of previous ownership, and any other documentation
9 that the recorder deems necessary in advance.

10 (e) No county, including a home rule county, may act in a
11 manner inconsistent with this Section. This Section is a denial
12 and limitation of home rule powers under subsection (g) of
13 Section 6 of Article VII of the Illinois Constitution.

14 Section 90. The State Mandates Act is amended by adding
15 Section 8.30 as follows:

16 (30 ILCS 805/8.30 new)

17 Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8
18 of this Act, no reimbursement by the State is required for the
19 implementation of any mandate created by this amendatory Act of
20 the 94th General Assembly.